



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Euclid Garment Manufacturing Co.
File: B-227255
Date: June 2, 1987

DIGEST

Where protester is on notice, from Commerce Business Daily synopsis, of the intended dates of issuance and closing of a solicitation, a protest alleging that the Air Force failed to provide it with a requested copy of the solicitation is untimely when it is not filed until a month after the announced closing date.

DECISION

Euclid Garment Manufacturing Co. protests any award under invitation for bids (IFB) No. F33659-87-B-0048, issued by the Newark AFS, Heath, Ohio, for dust and static preventive clothing.

The protest is dismissed. 4 C.F.R. § 21.3(f) (1986).

Euclid states that it was not sent the bid package even though it was informed by the Air Force, in response to Euclid's pre-issuance inquiry, that Euclid need not respond to the Commerce Business Daily (CBD) announcement of February 26, 1987, as it was on the bidders list. The CBD announcement stated that the solicitation was to be issued on or about March 19, 1987, with closing approximately 30 days thereafter. Euclid did not protest to this Office until May 18, 1987.

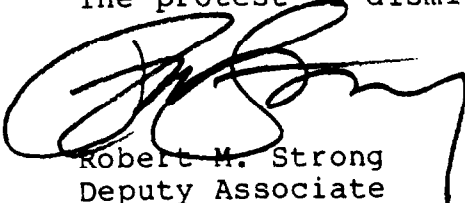
Under our Bid Protest Regulations, protests must be filed within 10 working days of when the basis for them is known or should have been known. 4 C.F.R. § 21.2(a)(2) (1986). Here, Euclid knew the intended dates of issuance and closing of the solicitation as the firm asked the Air Force for a bid package after the CBD announcement was made.

When Euclid did not receive a copy of the solicitation shortly after the announced date of issuance it should have contacted the Air Force again. In any event, if Euclid

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wished to file a protest on this basis it should have done so at the latest within 10 days of the announced closing date. Neotronics, B-223603, Sept. 22, 1986, 86-2 C.P.D. ¶ 441. Euclid waited until May 18, to protest to this Office, approximately 1 month after the announced closing date. Accordingly, we find Euclid's protest untimely. Neotronics, B-223603, supra.

The protest is dismissed.



Robert M. Strong
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General Counsel